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March 26, 2012

Cynthia A. Brown  
Chief, Section of Administration  
Surface Transportation Board  
395 E Street SW  
Washington, DC 20423-0001

ENTERED  
Office of Proceedings

MAY 14 2012

Part of  
Public Record

Re: FD 35559 Saratoga and North Creek Railway LLC – Operation Exemption – File #231173

Dear Ms. Brown:

I'm writing to you with my concerns as a property owner along the North Creek Sanford right-of-way in the town of North River, NY. I am part of a minority that your decision regarding an exemption for the Saratoga-North Creek Railroad will ultimately affect the most. The railroad legally should never have been built, but it was needed for a particular purpose, to transport ilmenite from the mine with volume and speed to be used for the war effort, which has been accomplished. The right-of-way was only intended to continue for 100 years from 1962, or upon abandonment, and at that time the property would be returned.

My wife and I bought our property in 2000, and at that time the exempt railway was totally neglected. From 2000 on, I called National Lead, the track owners, to clean up the area that runs through my property and directly in front of my home. I was especially concerned about a contaminated area of old broken battery bottles in a concrete container with no lid and another alongside it with 16 to 30 battery bottles full of battery acid, with an unlocked lid. I called many times and never got a response. The problem still exists today. That combined with the neglect of the area along the tracks, the various signs, poles, and wires that have deteriorated and become an eyesore for the last 30 years or more, in my estimation proves abandonment of the railway.

Now, the new owners, Iowa Pacific dba Saratoga-North Creek Railroad, want the common carrier status for their financial gain, with seemingly no regard for the impact that this will have on our community and the "forever wild" lands that the railroad tracks cross. The little compensation that was received when the railroad was first built was for national security not for financial reasons. I would like to see an environmental study and cleanup of all contaminated areas along the spur done before any decision is made regarding granting an exemption. Please don't rush into a decision that could change forever this beautiful and unique place in our country.

I would also like to suggest an alternative to running the railway to Tahawus to collect the tailings from the mine and possibly to pick up freight at Barton Mines. There is an area at the north end of North Creek near the railroad station and away from the business district that would only be 5 miles away from the Barton Mines plant and 25 to 30 miles from the Tahawus mine, where a loading facility could be built to receive and load the freight onto the train, thereby

removing the reintroduction of a railroad line through the "forever wild" lands of the Adirondack Park and the yards of property owners along the tracks in North River, and, thus, honoring the original purpose.

I thank you for your time and consideration in this matter.

Sincerely,



John E. La Carrubba  
PO Box 174  
North River, NY 12856  
(518) 251-5056

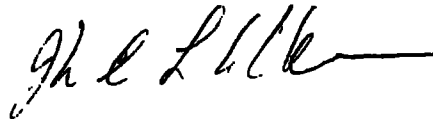
**BEFORE THE  
SURFACE TRANSPORTATION BOARD**

**FD 35559**

**SARATOGA AND NORTH CREEK RAILWAY, LLC  
-OPERATION EXEMPTION-  
TAHAWUS LINE**

**CERTIFICATE OF SERVICE**

**I herby certify that I mailed a copy my letter dated March 26, 2012, in opposition of Saratoga and North Creek Railway, LLC, in the above-captioned proceeding by first class United States Mail and/or electronic transmission to all parties on the Board's service list on May 12 or 13, 2012.**



**John E. La Carrubba  
PO Box 174  
North River, NY 12856  
(518) 251-5056**